

## 2.3.2.2 Permitting Framework and Scope/ Permit Program Areas/ Industrial Sources/Primary Industries

### **Applicability:**

This section applies to the Primary Industry subset of the Categorical Industries covered in 40 CFR 405 through 471 and 10 CSR 20-7.015(9)(I)1.

Missouri statute RSMo 644 requires that operating permit conditions ensure compliance with any federal water pollution control act. The EPA has developed pollutant limitations and other requirements for certain industrial categories which are contained in the effluent guidelines of 40 CFR 405 through 471.

### **Content:**

The primary industries are listed in Appendix A to 40 CFR Part 122—NPDES Primary Industry Categories, below. The same listing is contained on the first page of Missouri Form D – Application for Discharge Permit – Primary Industries.

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### Appendix A to 40 CFR Part 122—NPDES Primary Industry Categories

Any permit issued after June 30, 1981 to dischargers in the following categories shall include effluent limitations and a compliance schedule to meet the requirements of section 301(b)(2)(A), (C), (D), (E) and (F) of CWA, whether or not applicable effluent limitations guidelines have been promulgated. See §§122.44 and 122.46.

#### Industry Category

- Adhesives and sealants
- Aluminum forming
- Auto and other laundries
- Battery manufacturing
- Coal mining
- Coil coating
- Copper forming
- Electrical and electronic components
- Electroplating
- Explosives manufacturing
- Foundries
- Gum and wood chemicals
- Inorganic chemicals manufacturing
- Iron and steel manufacturing
- Leather tanning and finishing
- Mechanical products manufacturing
- Nonferrous metals manufacturing
- Ore mining
- Organic chemicals manufacturing
- Paint and ink formulation
- Pesticides
- Petroleum refining
- Pharmaceutical preparations

Photographic equipment and supplies  
Plastics processing  
Plastic and synthetic materials manufacturing  
Porcelain enameling  
Printing and publishing  
Pulp and paper mills  
Rubber processing  
Soap and detergent manufacturing  
Steam electric power plants  
Textile mills  
Timber products processing”

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The outcome of the litigation (citation below) has required U.S.EPA to develop effluent guidelines for these industrial categories by specific dates.

The Missouri Permits regulation requires that an application for, or renewal of, a construction permit or operating permit shall be made on forms provided by the department (see 10 CSR 20-6.010(2)(A). Permit Application Form D has been developed by the department for primary industries and is to be completed as part of their permit application processes.

## Legal References:

*Primary industry category* means any industry category listed in the NRDC settlement agreement (*Natural Resources*

*Defense Council et al. v. Train*, 8 E.R.C. 2120 (D.D.C. 1976), *modified* 12 E.R.C. 1833 (D.D.C. 1979)); also listed in appendix A of part 122.

*Missouri Clean Water Law, Chapter 644, RSMo*

<a href="#">644.051 1.(3).</a>	Prohibited Acts
<a href="#">644.026 1.(13)</a>	Powers and Duties of Commission

*Code of State Regulations:*

<a href="#">10 CSR 20-6.010(1)(A)</a>	Construction and Operating Permits - General - Permits Required for Point Sources
<a href="#">10 CSR 20-6.010(2)(A)</a>	Construction and Operating Permits - Permit Applications - Forms, Required Map and Fees
<a href="#">10 CSR 20-6.010(5)</a>	Construction and Operating Permits - Operating Permits (CP)
<a href="#">10 CSR 20-7.015(9)(I)1.</a>	Effluent Regulations - General Conditions - Industrial, Agricultural and Other Nondomestic wastewater Discharges

*Code of Federal Regulations:*

<a href="#">40 CFR 122 Appendix A</a>	NPDES Primary Industry Categories
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## Other Links:

[5.3.1.4 Limitations for Primary Industries](#)

[Form D – Application for Discharge Permit – Primary Industries](#)

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